

Central Valley Regional Water Quality Control Board



Instructions for Completion of Waiver Certification Notice

California Water Code (CWC) Section 13269 authorizes the Regional Water Quality Control Board, Central Valley Region (Regional Board) to waive the requirement to submit reports of waste discharge and to obtain waste discharge requirements for a specific type of discharge if the waiver is not against the public interest and the waiver is conditional. The Regional Board, in Resolution No. R5-2003-0005, adopted the “Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities”.

Subject to the conditions set forth in Attachment A of Resolution No. R5-2003-0005, the Regional Board waives the requirements to submit a report of waste discharge and obtain waste discharge requirements for most timber harvest activities (existing or proposed) on nonfederal lands. *No fee is required to apply for or receive a conditional waiver from the Regional Board for timber harvest activities.*

- 1. Plan or Notice Number:** Enter the number of the Timber Harvesting Plan (or other plan) or notice, as assigned by CDF. If a Certification Notice is utilized for multiple plans or notices for an ownership, list the plan names and numbers and corresponding waiver categories on additional pages.
- 2. Landowner's Contact Information:** The primary responsible party (i.e., “discharger”) under California water law is the property owner. Enter the Landowner's name, mailing address and phone number, including area code. If more than one landowner, attach additional pages.
- 3. Name and Phone Number of Contact Person(s):** List the primary person(s) responsible for on-site operations. Regional Board staff will attempt to contact the person(s) prior to conducting on-site compliance inspections.
- 4. Waiver Category:** Check one box for the Waiver Category (as described below) under which you are seeking coverage. A Waiver Addendum form has been attached for use in enrollment under waiver categories 1, 2 and 4 (see instructions below). Whenever a Registered Professional Forester is consulted to provide the required Addendum information, his/her contact information shall be inserted in the space provided at the bottom of the form.

Category 1: Minor Timber Harvest Activities On Nonfederal Lands

To qualify for this category: (1) The discharger must comply with the 16 eligibility criteria required for Waiver Category 1 (ref: Attachment A, Part II.A.1.b.1-16, pages 4-5); and (2) The Discharger must certify that the timber harvest activities will comply with all general conditions, eligibility criteria and specific conditions for Waiver Category 1 (ref: Attachment A, Part I.B.1-8, pages 3-4, and Part II.A, pages 4-5). **Note:** A post-harvest Certification Notice is not required for this category. **For all CDF-accepted notices, the 16 eligibility criteria must be complied with. For THPs, NTMPs and other plans eligible under Category 1, the 16 eligibility criteria must be included and highlighted in the CDF-approved plan. For plans approved prior to 30 January 2003, the 16 eligibility criteria shall be listed separately on the Waiver Addendum form and stapled to the completed Certification Notice and sent directly to the Regional Board (without including a copy of the plan).**

Category 2: Exempt Or Emergency Timber Harvest Activities On Nonfederal Lands That Do Not Qualify For Waiver Under Category 1

To qualify for this category: (1) A Notice of Exemption or Notice of Emergency must be accepted by CDF; and (2) A Registered Professional Forester must have conducted a comprehensive field review and identified any additional practices/measures. A qualified scientist may be required to identify project modifications and mitigation measures to avoid impacts to listed aquatic or wetland species (ref: Attachment A, Part II.B.1.a-d, pages 5-6); and (3) The Discharger must certify that the timber harvest activities will comply with all general conditions, eligibility criteria and specific conditions for Waiver Category 2 (ref: Attachment A, Part I.B.1-8, pages 3-4, and Part II.B, pages 5-7). Note: A post-harvest Certification Notice must also be filed within 30 days of project completion.

For CDF-accepted notices eligible under Category 2, all identified additional management practices or water quality protective measures (beyond the requirements of the current Forest Practice Rules), and any modifications recommended by a qualified scientist must be included on the Waiver Addendum form. The Waiver Addendum form shall be stapled to the completed Certification Notice and submitted with the Exemption or Emergency notice to CDF, or sent directly to the Regional Board.

Category 3: Timber Harvest Activities On Nonfederal Lands That Receive Discretionary Approval From CDF And For Which Regional Board Staff Has Fully Participated In The Interdisciplinary Review Team Process

To qualify for this category: (1) A THP, NTMP, PTHP or other plan or amendment must be approved by CDF, and a copy received by the Regional Board; and (2) Regional Board staff must have participated in a pre-harvest inspection; and (3) CDF must have incorporated all identified additional management practices and/or water quality protective measures into the plan or amendment (ref: Attachment A, Part II.C.1.b-d, page 8); and (4) The Discharger must certify that the timber harvest activities will comply with all general conditions, eligibility criteria and specific conditions for Waiver Category 3 (ref: Attachment A, Part I.B.1-8, pages 3-4, and Part II.C, pages 8-9). Note: A post-harvest Certification Notice must also be filed forthwith upon project completion.

For THPs, NTMPs, and other plans (including those approved prior to 30 January 2003) eligible under Category 3, all identified additional management practices or water quality protective measures resulting from Regional Board participation in the CDF review process must be included in the approved plan.

Category 4: Timber Harvest Activities On Nonfederal Lands That Receive Discretionary Approval From CDF For Which Regional Board Staff Has Not Fully Participated In The Interdisciplinary Review Team Process And Which Are Not Eligible For A Waiver Under Category 1

To qualify for this category: (1) A THP, NTMP, PTHP or other plan or amendment must be approved by CDF, and a copy received by the Regional Board; and (2) A Registered Professional Forester must have conducted a comprehensive field review and incorporated any additional management practices and/or water quality protective measures within the CDF-approved plan or amendment (ref: Attachment A, Part II.D.1.a-c, pages 9-11); and (3) The Discharger must certify that the timber harvest activities will comply with all general conditions, eligibility criteria and specific conditions for Waiver Category 4 (ref: Attachment A, Part I.B.1-8, pages 3-4, and Part II.D, pages 9-11). Note: A post-harvest Certification Notice must also be filed forthwith upon project completion.

For THPs, NTMPs, and other plans under Category 4, all identified additional management practices or water quality protective measures (beyond the Requirements of the current Forest Practice Rules), must be included and highlighted (in a reproducible form on black and white copies) in the CDF-approved plan. Any additional signed technical reports from qualified professionals must be included as addenda to the plan. For plans approved prior to 30 January 2003, the additions/measures may be listed separately on the Waiver Addendum form, stapled to the completed Certification Notice and sent directly to the Regional Board.

5. Certification: the landowner must sign and date. If more than one landowner, attach additional pages.

The completed Certification Notice shall be submitted in accordance with the instructions above for each waiver category. For timber harvest activities filed in Tehama, Shasta, Lassen, Glenn, Butte, Siskiyou, Yuba, Sierra, Modoc or Plumas counties, the notice and any other required documents shall be submitted to the Redding office:

Central Valley Regional Water Quality Control Board
Attn: Timber Harvest
415 Knollcrest Dr., Suite 100
Redding, CA 96002

For timber harvest activities filed in Nevada, Placer, El Dorado, Amador, Calaveras, Tuolumne, Fresno, Madera, Mariposa or Tulare counties, the notice and any other required documents shall be submitted to the Sacramento office:

Central Valley Regional Water Quality Control Board
Attn: Timber Harvest
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670-6114

The adopted Resolution, Attachment A, Certification Notice form, Post Harvest Certification Notice form, Addendum and both sets of Instructions may be accessed at:

<http://www.swrcb.ca.gov/rwqcb5/programs/index.html#timber>

The following Regional Board staff may be contacted for questions:

	Contact:	Phone	Email
<u>Redding Office</u>	Jim Pedri	(530) 224-4845	
	Dennis Wilson	(530) 224-4848	wilsond@rb5r.swrcb.ca.gov
	David Willoughby	(530) 224-2437	willoud@rb5r.swrcb.ca.gov
	Angela Wilson	(530) 224-4856	wilsona@rb5r.swrcb.ca.gov
<u>Sacramento Office</u>	Sue McConnell	(916) 464-4798	mcconns@rb5s.swrcb.ca.gov
	Matthew Reischman	(916) 464-4820	reischm@rb5s.swrcb.ca.gov
	Marty Hartzell	(916) 464-4630	hartzem@rb5r.swrcb.ca.gov
<u>Fresno Office</u>	Anthony Toto	(559) 445-6278	totoa@rb5f.swrcb.ca.gov